

"Whereas, the current administration did not ask for these funds as a part of the proposed federal budget, thereby ending an enormously successful program engineered through the cooperative efforts of the American League of Anglers and Boaters, Fish and Wildlife Agencies, Congress, and others; and

"Whereas, these funds cannot be used for budget deficit reduction but rather will transfer to the Sport Fisheries account of the Aquatic Resources Trust Fund, thereby bypassing the intent of the enabling legislation; and

"Whereas, there was bipartisan support in the 103rd Congress in the form of HR 4477 to reinstate this vital funding on a sustained basis; and

"Whereas, there appears to be movement to address this same boating safety funding dilemma in the early days of the 104th Congress; now, Therefore, be it

*Resolved by the Senate of the Ninety-Ninth General Assembly of the State of Tennessee, the House of Representatives concurring,* That this General Assembly hereby memorializes the United States Congress to enact legislation which would reinstate Aquatic Resources Trust Fund (Wallop-Breaux) monies on a sustained funding basis to assure the continued proven success of Tennessee's as well as other states', boating safety and education program, and be it further

*Resolved,* That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to the Honorable Bill Clinton, President of the United States; the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; and to each member of the Tennessee Congressional Delegation."

POM-246. A joint resolution adopted by the Legislature of the State of Tennessee; to the Committee on Environment and Public Works.

#### "SENATE JOINT RESOLUTION NO. 11

"Whereas, the quality of Tennessee's water resources is critical to maintaining good health and maximizing recreational opportunities on our streams and reservoirs; and

"Whereas, there exists legislation on both the federal and state level which helps to maintain water quality by controlling the discharge of sewage from vessels; and

"Whereas, enforcement of Tennessee's marine sanitation law is threatened due to ambiguity of the language contained in the federal statute regarding "preemption" of state laws; now, Therefore, be it

*Resolved by the Senate of the Ninety-Ninth General Assembly of the State of Tennessee, the House of Representatives concurring,* That this General Assembly hereby memorializes the U.S. Congress to enact an amendment to the "Federal Water Pollution Control Act" (popularly known as the "Clean Water Act") providing that the several states may enact and enforce their own marine sanitation laws, provided that such laws are consistent and uniform with the federal standards on marine sanitation set out at 33 U.S.C. Section 1322, and be it further

*Resolved,* That the Chief Clerk of the Senate is directed to transmit enrolled copies of this resolution to the Speaker and the Clerk of the U.S. House of Representative; the President and the Secretary of the U.S. Senate; and to each member of the Tennessee Congressional Delegation."

POM-247. A joint resolution adopted by the Legislature of the State of Nevada; to the Committee on Environment and Public Works.

#### "JOINT RESOLUTION NO. 40

"Whereas, the State of Nevada has a very strong commitment to protecting the public

health and safety and the natural environment; and

"Whereas, the Nevada Legislature has proven this commitment in the area of solid waste management by enacting legislation and authorizing administrative regulations which are necessary to carry out the provisions of subchapter IV of the Resource Conservation and Recovery Act of 1976, as amended; and

"Whereas, the Nevada Legislature, nevertheless, finds the federal requirements in subchapter IV of the Resource Conservation and Recovery Act of 1976, as carried out through the regulations contained in 40 C.F.R. Part 258, too onerous, inflexible and unreasonable in this arid state, with many small population centers and agricultural operations situated far from urban areas; and

"Whereas, excessively stringent federal regulations, short time frames for compliance, small populations and a lack of technical and financial assistance have created an impossible situation for many of Nevada's small rural communities; and

"Whereas, in the absence of financial assistance to carry out the provisions of subchapter IV of the Resource Conservation and Recovery Act of 1976, the federal requirements truly represent an unfunded mandate which reorders valid local priorities; and

"Whereas, the President of the United States, in Executive Order No. 12866, dated September 30, 1993, recognized that the legitimate role of government is to govern in a focused, tailored and sensible way; and

"Whereas, the President of the United States, in his memorandum dated March 4, 1994, relating to the regulatory reform initiative, called for permit streamlining and paperwork reduction and directed federal agencies and departments to "determine whether states can do the job as well; reward results, not red tape; and negotiate with the regulated community"; now, therefore, be it

*Resolved by the Assembly and Senate of the State of Nevada, jointly,* That the members of the 68th session of the Nevada Legislature urge the United States Environmental Protection Agency to extend by at least 2 years the deadline for small, remote landfills in arid areas to comply with the federal regulations contained in 40 C.F.R. Part 258; and be it further

*Resolved,* That this Legislature urges Congress to amend subchapter IV of the Resource Conservation and Recovery Act of 1976 as it applies to small, remote landfills in arid areas by establishing a ground-water monitoring exemption, requiring the United States Environmental Protection Agency to identify, with state participation, minimum performance standards and providing states the authority and flexibility to manage such landfills in a manner consistent with those performance standards; and be it further

*Resolved,* That this Legislature urges Congress to appropriate money for grants to the states to carry out the mandates of subchapter IV of the Resource Conservation and Recovery Act of 1976; and be it further

*Resolved,* That this Legislature urges the Division of Environmental Protection of the State Department of Conservation and Natural Resources to assert Nevada's authority and discretion over solid waste management programs within this state, propose reasonable regulations for the management of the smallest solid waste landfills and carry out a vigorous technical assistance program for small towns, rural areas and agricultural operations; and be it further

*Resolved,* That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Director of the State Department of Conservation and Natural Resources of the State of Nevada, the Vice

President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

*Resolved,* That this resolution becomes effective upon passage and approval."

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BURNS, from the Committee on Appropriations, with amendments:

H.R. 1817. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes (Rept. No. 104-116).

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SHELBY (for himself, Mr. CRAIG, and Mr. HELMS):

S. 1050. A bill to promote freedom, fairness; and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Finance.

By Mr. HATFIELD (for himself, Mr. STEVENS, Mr. COCHRAN, Mr. PELL, Mr. MOYNIHAN, and Mr. REID):

S. 1051. A bill to authorize appropriations for the American Folklife Center for fiscal years 1996, 1997, 1998, and 1999; to the Committee on Rules and Administration.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. PELL:

S. Res. 154. A resolution expressing the sense of the Senate that the United States Government should encourage other governments to draft and participate in regional treaties aimed at avoiding any adverse impacts on the physical environment or environmental interests of other nations or a global commons area, through the preparation of Environmental Impact Assessments, where appropriate; to the Committee on Foreign Relations.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SHELBY (for himself, Mr. CRAIG, and Mr. HELMS):

S. 1050. A bill to promote freedom, fairness; and economic opportunity for families by reducing the power and reach of the Federal establishment; to the Committee on Finance.

THE FREEDOM AND FAIRNESS RESTORATION ACT

● Mr. SHELBY. Mr. President, I am proud to announce the introduction of the Freedom and Fairness Restoration Act in the Senate of the United States of America. Two years ago, the flat tax was not even considered as an alternative in the tax reform debate. One

year ago, thanks to the able House majority leader, the flat tax was introduced in the House of Representatives and took the country by storm. Today, I am here to tell the American people the flat tax has found a home in the Senate and the flat tax is not only a legitimate proposal for tax reform, it is the leading candidate.

When considering any proposal for tax reform, one has to ask the question, "Should the Federal Government coerce free individuals by means of tax policy?" I believe the answer is a clear and resounding "No." In other words, tax policy should neither encourage nor discourage the personal decisions of free individuals in America. If one accepts this premise, one has to conclude the best alternative for tax reform is the flat tax. No other tax proposal, not the sales tax, and especially not the Gephardt un-flat tax, has the attribute of neutrality.

The Arney-Shelby flat tax taxes every dollar in the economy once and only once—all at the same rate. As a result, the Arney-Shelby flat tax does not coerce free individuals into making decisions to take advantage of a special interest tax break or to avoid some tax penalty. The basic premise of the Freedom and Fairness Restoration Act is that free individuals know best how to spend their hard-earned dollars.

The current Tax Code, while serving its purpose of revenue collection, has many problems. It contains high marginal rates as well as a hodgepodge of special interest deductions. In addition, the complexity of Federal tax laws cost taxpayers approximately 5.4 billion hours, or \$150 billion, just to comply with the current Internal Revenue Code.

As a result, the time has come to abolish the old, inefficient tax system and adopt a new, strict flat tax—20 percent for the first 2 years, and 17 percent thereafter. Generous personal allowances—\$31,400 for a family of four—will cut taxes for families and provide a level of progressivity many find essential for tax reform. The flat tax will eliminate the double taxation of savings and promote jobs and higher wages. These attributes of the Arney-Shelby flat tax are the keys that will unlock the door to economic prosperity and assures freedom and fairness for all.●

By Mr. HATFIELD (for himself, Mr. STEVENS, Mr. COCHRAN, Mr. PELL, Mr. MOYNIHAN and Mr. REID):

S. 1051. A bill to authorize appropriations for the American Folklife Center for fiscal years 1996, 1997, 1998, and 1999; to the Committee on Rules and Administration.

#### THE AMERICAN FOLKLIFE CENTER RE-AUTHORIZATION ACT

● Mr. HATFIELD. Mr. President, as the Chairman of the Joint Committee on the Library of Congress, I am introducing legislation today to reauthorize the Library's American Folklife Center

for fiscal years 1996 through 1999. I am pleased to have all the members of the Joint Committee on the Library and Senator REID join me in this effort as cosponsors.

The American Folklife Preservation Act of 1976 established the American Folklife Center at the Library of Congress with a mandate to "preserve and present American folklife." This remarkable institution contains the nation's foremost collection of folklife materials, including over 1 million manuscripts, sound recordings, photographs, films, videos, periodicals, and other printed information which chronicle the grassroots cultural traditions of the American people. No other public or private establishment can compare to the Folklife Center's extensive accumulation of American folklife.

In addition to maintaining a comprehensive record of our Nation's diverse culture, the Folklife Center is also an interactive and widely used institution. The folklife reading room is the largest reading room in the nation with public access to folklife collections and publications. During 1994 the folklife reading room assisted nearly 9,000 researchers. Additionally, the Folklife Center is well known for its popular public exhibitions and presentations, such as the summer folklife music concert series in front of the Jefferson Building. This year the series opened with a performance of cajun zydeco and will close with the Argentine tango. The Folklife Center is also well known for its programs which have traveled throughout the United States. For instance, the Folklife Center's photographic exhibit "Generation to Generation: Sharing the Intangible," which depicts grassroots culture bridging the differences between older and younger individuals, had a brief stay at the Hood River County Historical Museum in Hood River, OR.

Mr. President, the American Folklife Center accomplishes its broad mandate with minimal funding and through the efforts of creative individuals. The Folklife Center has a staff of only 15 and their authorization level has been frozen since 1992. However, in 1994 they raised \$330,000—3 times the amount raised in 1990—in private funding and they have a multi-year plan to increase private funding. Consequently, the legislation I am introducing today provides a modest increase in their annual authorization from the current level of \$1,120,000 to \$1,187,000 for the next 4 fiscal years.

The American Folklife Center is an important investment in preserving our Nation's cultural background that will serve future generations as a historical reference and educational guide. I hope my colleagues will continue to support the Folklife Center by approving this legislation.●

● Mr. REID. Mr. President, I am pleased to join Senator HATFIELD as an original cosponsor to legislation which will reauthorize the American Folklife Center. The Folklife Center provides

our country with the invaluable service of preserving the diverse cultures which make up American folklife.

Folklife is defined as the grassroots cultural traditions maintained at the community level and expressed through family, ethnic, occupational, religious, and regional associations. It includes a wide range of creative forms including music, verbal traditions, crafts and dance. It is my strong belief that the preservation of America's heritage is worth funding.

The American Folklife Center contains by far the Nation's preeminent folklife collection comprising over 1 million items in every medium: manuscripts, sound recordings, photographs, films, videos, periodicals, and other printed materials. No other institution, public or private, contains such a vast and comprehensive collection of folklife. Further, it is the sole institution in the Federal Government authorized to preserve and present American folklife.

The American Folklife Center's authorization level has been frozen at \$1,120,000 since 1992. On this budget, the Center has maintained the largest reading room in the Nation with public access to folklife collections and publications and with formal public reference services, assisting nearly 9,000 researchers in 1994. The Center has provided for programs, presentations, field research projects, publications and exhibitions which strengthen public education about America's heritage and benefit hundreds of thousands of Americans annually. I believe it is time to increase the Center's funding, therefore, our amendment provides for the modest increase in authorization to \$1,187,000 a year for the next 4 years. This money will allow the Center to continue with their important work in preserving America's heritage.

In 1976, the American Folklife Center was established with bipartisan support. However, the Archive of Folk Culture has been a part of the Library of Congress since 1928. This long history is evidence of our country's commitment to preserving its heritage.

The Center maintains a unique collection with items from all 50 States. My State of Nevada has diverse folk traditions which are preserved by the Center. Among its unique recordings are Ute, Northern Paiute, Wasoe, and other native American music recordings made by Omer Stewart in 1938 and Willard Rhodes in 1949. There are cowboy songs and stories by "Powder River" Jack H. Lee of Virginia City and oral histories and stories of traditional life made by Duncan Emerich in 1942 and 1950.

Between 1978 and 1982, the Center conducted the Paradise Valley Folklife Project to document and analyze the traditional life and work of a ranching community in Nevada. The project was developed in conjunction with the